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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,254	01/21/2006	Guy Bernard Vauchel	126268	5002
25944	7590	08/21/2007		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER MERLINO, ALYSON MARIE	
			ART UNIT 3676	PAPER NUMBER
			MAIL DATE 08/21/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/560,254	<b>Applicant(s)</b> VAUCHEL, GUY BERNARD	
	<b>Examiner</b> Alyson M. Merlino	<b>Art Unit</b> 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Oath/Declaration*

1. **It does not identify the citizenship of each inventor.**

### *Specification*

2. The disclosure is objected to because of the following informalities:
  - a. **On page 1**, the title "Technical Field" should be inserted before the first paragraph on the page. Following the first paragraph, the title "Background of the Invention" should be inserted.
  - b. **On page 2**, the title "Summary of the Invention" should be inserted at line 15 before the second full paragraph.
  - c. **On page 5**, the title "Brief Description of the Drawings" should be inserted before line 5.
  - d. **On page 6**, the title "Detailed Description of the Preferred Embodiments" should be inserted before line 5.

Appropriate correction is required.

### *Claim Objections*

2. **Claims 1-14 are objected to** because of the following informalities:
  - a. **In regards to claim 1**, a suggested change (added language shown in bold and certain language deleted) to the claim language is set forth below:

A latch (1, 101) for joining two parts (16, 17) to one another **comprising** a hook (2, 102) possessing a curved end (12) capable of engaging with a retaining member (18) connected to a first part, and a main pin (3) designed to be attached firmly to a second part, said latch **further** comprising an operating member (6) pivoting about an end pin (13) situated at an opposite end from the curved end of the hook, and an

articulation comprising a pair of compression links ~~(4)~~ pivoting on the main pin ~~(3)~~ and on an intermediate pin ~~(14)~~, **said intermediate pin** being positioned between the main pin and the end pin, **wherein** the hook is located between the operating member and the main pin, and at least one **of said** compression links ~~(4)~~ is provided with a guide means ~~(24)~~ capable of contacting a surface of the hook which is nearest the operating member during the opening of the latch.

- b. **In regards to claims 2-7 and 10-14**, the phrase “characterized in that” within the first line of the claims should be removed, and the word “wherein” should be inserted in its place, in order to conform to US practice.
- c. **In regards to claim 3**, line 3 of the claim, the phrase “that surface of the hook” should be changed to “the surface of the hook.”
- d. **In regards to claim 4**, line 2 of the claim, the phrase “larger in an area acting as a housing for the guide means” should be changed to “larger in an area that acts as a housing for the guide means” in order to be grammatically correct.
- e. **In regards to claim 8**, the phrase “characterized in that it” should be removed, and the word “further” should be inserted in its place, in order to conform to US practice.
- f. **In regards to claim 9**, line 1 of the claim, the phrase “characterized in that it” should be removed, and the word “further” should be inserted in its place, in order to conform to US practice. In line 2 of the claim, it is suggested that the phrase “only one pair of compression links” be removed since claim 1 only recited one pair of compression links.
- g. **In regards to claim 10**, a suggested change (added language shown in bold and certain language deleted) to the claim language is set forth below:

The latch (201)-as claimed in claim 9, **wherein** the operating member (206)-is divided into a main structure (206a)-having a **pivoting axis and an end structure (206b)-situated at an end opposite** from the end pin (13).

- h. **In regards to claim 14**, line 3 of the claim, the phrase “which part can prevent” should be removed, and the word “preventing” should be inserted in its place in order to be grammatically correct.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claim 9 is rejected** under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is unclear whether the “pair of compression links” recited in claim 9 is the same “pair of compression links” recited in claim 1. Furthermore, the limitation that the “pair of compression links” recited in claim 9 that the pair of links is the only pair of compression links in the latch is unclear since one pair of compression links is recited in claim 1. For examination purposes, the “pair of compression links” recited in claim 9 will be considered equivalent to the “pair of compression links” of claim 1.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-7 and 9-12 are rejected** under 35 U.S.C. 102(b) as being anticipated by Stammreich et al. (US-4743052).

7. **In regards to claim 1**, Stammreich et al. discloses a latch (Figure 1) for joining two parts (Figure 3) to one another including a hook 50 possessing a curved end 51 capable of engaging with a retaining member 53 connected to a first part (portion near reference character 90, Figure 3), a main pin 74 designed to be firmly attached (attached with rest of latch to second part, Figures 3-11) to a second part (portion opposite first part, Figure 3), an operating member 20 pivoting about an end pin 78 situated at the opposite end from the curved end of the hook (Figure 3), and an articulation comprising a pair of compression links 70A and 70B pivoting on the main pin (Figures 8-11) and on an intermediate pin 76. Stammreich et al. discloses that the intermediate pin is positioned between the main pin and the end pin (Figure 3), with the hook being located between the operating member and the main pin (Figure 3), and at least one of the compression links is provided with a guide means 73, (outer surface of pin 74, Figure 5) capable of contacting a surface (surface above guide means, Figure 5 and Figure 6) of the hook which is nearest the operating member during the opening of

the latch (the surface of the hook is closer than the guiding means to the operating member, Figure 5).

8. **In regards to claim 2**, Stammreich et al. discloses that each guide means includes a spur (spur created by 73, Figure 5) connected to is corresponding compression link (Figures 5 and 6).

9. **In regards to claim 3**, Stammreich et al. discloses that each guide means is housed in a recess (recessed portion of surface of hook above guide means when in engagement, Figure 5) formed in the surface of the hook, which is nearest the operating member (Figure 5).

10. **In regards to claim 4**, Stammreich et al. discloses that the recess is larger in an area that acts as a housing for the guide means at the end of the latch-opening operation (Figure 7).

11. **In regards to claim 5**, Stammreich et al. discloses that when the latch is in the locked position (Figure 3) the center of the main pin and the hook lie on either side of a line joining the center of the retaining member to the center of the intermediate pin (portions of pin lie on either side of line and portions of hook lie on either side of line near reference characters 53 and 76).

12. **In regards to claim 6**, Stammreich et al. discloses that the hook is provided with a projection (portion from engagement point with main pin and intermediate pin 76, Figure 3) "capable" of partially covering the main pin in the locked position (Figure 3).

13. **In regards to claim 7**, Stammreich et al. discloses that when in the locked position, the center of the main pin is positioned between the hook and a line joining the

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center of the retaining member and the center of the intermediate pin (apparent from Figure 3).

14. **In regards to claim 9**, Stammreich et al. discloses that the operating member is firmly attached to the intermediate pin (attached through connection with compression links, Figure 10).

15. **In regards to claim 10**, Stammreich et al. discloses that the operating member is divided into a main structure 21 having a pivoting axis (axis through end pin 78, Figure 5) and an end structure 31 situated at an end opposite from the end pin (end near reference character 36, Figure 4).

16. **In regards to claim 11**, Stammreich et al. discloses a stop piece (portion of main structure that abuts the end structure in Figure 3, near reference character 89, Figure 4) belonging to the main structure that is "capable" of limiting the angular travel of the end structure (angular travel from position shown in Figure 4 back to position shown in Figure 3).

17. **In regards to claim 12**, Stammreich et al. discloses that when in the locked position, a spring 36 keeps the end structure aligned with the main structure (Figure 3).

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



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19. **Claim 8 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Stammreich et al. (US-4743052) in view of Bourne et al. (US-5984382).

20. **In regards to claim 8**, Stammreich et al. discloses the latch as applied to claim 1 above, but fails to disclose that the latch includes a second pair of compression links. Bourne et al. teaches a latch (Figure 2) having a first pair of compression links 22 and a second pair of compression links 21 pivoting on an intermediate pin 26 and on an end pin 24. Since it is well known in the art of latches to use multiple sets of linkage, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include another pair of compression links to the latch disclosed by Stammreich et al. in order to increase the maneuverability and extendibility of the operating member with respect to the hook.

21. **Claims 13 and 14 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Stammreich et al. (US-4743052) in view of Sessler (US-2783072).

22. **In regards to claims 13 and 14**, Stammreich et al. discloses the latch as applied to claim 1 above, but fails to disclose that the operating member includes a window giving access to the hook from the outside, and that the hook has a bore that can be accessed from the outside, and in which a through part can be housed preventing the opening of the latch. Sessler teaches a latch (Figure 3) having an operating member 15 including a window (opening for fastener, Col. 2, lines 38-44) giving access to the hook from the outside (Figure 3), and a hook 28 having a bore (near reference character 49, Figure 3) that can be accessed from the outside (Figure 3 and Col. 3, lines 34-42) and in which a through part 29 can be housed preventing opening of the latch (Figure 3).

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Since the inclusion of a window on the operating member and a bore in the hook for reception of a through part would not affect the overall ability of the latch disclosed by Stammreich et al. to join two parts, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a window and a through part for ensuring the safety and security of the latch when in the locked position.

### ***Conclusion***

23. The examiner would like to note that prior art reference of record Bourne et al. (US-5984382) could support a rejection of claims 1-8 under 35 U.S.C. 102(b), and prior art reference of record Henrichs (EP 0 431 769 A2) could support a rejection of claims 1-8 under 35 U.S.C. 102(b) as well.

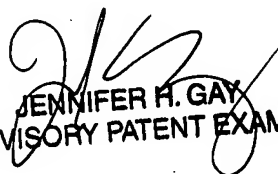
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alyson M. Merlino whose telephone number is (571) 272-2219. The examiner can normally be reached on Monday through Friday, 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Gay can be reached on (571) 272-7029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AM ~~AM~~  
August 14, 2007

  
JENNIFER H. GAY  
SUPERVISORY PATENT EXAMINER